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**CHAPTER 252—S.F.No.1099**

*An act relating to newspapers; raising the fees for publishing legal notices; amending Minnesota Statutes 1978, Sections 3.21; 331.08; 375.12; and 375.17.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1978, Section 331.08, is amended to read:

**331.08 FEES FOR PUBLICATION OF LEGAL NOTICES.** The maximum fee for publication of a legal notice in any legal newspaper in this state shall be 24 25-1/2 cents in 1979 and 27 cents thereafter per standard line for the first insertion and 46 17 cents in 1979 and 18 cents thereafter per standard line for each subsequent insertion of a notice. The fees for the publication of the delinquent tax list shall be the same as now provided by section 279.07; provided that in all cases where a notice for publication contains tabular matter in whole or in part, or what is termed "price and one-half" or "double price" composition, an additional fee of 8 8-1/2 cents in 1979 and 9 cents thereafter per standard line shall be paid for all such price and one-half and double price composition matter for the first insertion of a notice; and in the publication of official ballots for elections in the counties and the state the same shall be measured as though the entire space occupied is that of solid brevier or eight-point type, and no additional fee shall be allowed on account of tabular matter.

Sec. 2. Minnesota Statutes 1978, Section 3.21, is amended to read:

**3.21 NOTICE.** At least four months preceding the election, the attorney general shall furnish to the secretary of state a statement of the purpose and effect of all amendments proposed showing clearly the form of the existing sections, and of the same as they will read if amended, except that when any section to which an amendment is proposed exceeds 150 words in length, the statement shall show that part of the section in which a change is proposed, both in its existing form and as it will read when amended, together with portions of the context as the attorney general deems necessary to an understanding of the proposed amendment. In the month of October prior to the election, the secretary of state shall give two weeks published notice of the statement in all legal newspapers of the state. The secretary of state shall furnish the statement to the newspapers in reproducible form approved by the secretary of state, set in seven and one-half point type on an eight point body. The maximum rate for publication shall be 46 17 cents per standard line in 1979 and 18 cents per standard line thereafter for the two publications. If any newspaper shall refuse the publication of the amendments, this refusal and failure of the publication shall have no effect on the validity of the amendments. The secretary of state shall also forward to each county auditor copies of the statement, in poster form, in quantities sufficient to supply each election district of his county with two copies thereof. The auditor shall cause two copies to be conspicuously posted at or near each polling place on election day. Wilful or negligent failure by any official named to perform any duty imposed upon him by this section shall be deemed a misdemeanor.

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Sec. 3. Minnesota Statutes 1978, Section 375.12, is amended to read:

**375.12 PUBLICATION OF PROCEEDINGS.** Subdivision 1. The county board shall cause the official proceedings of its sessions to be published in some qualified newspaper produced and published in its county, which publication shall be let annually by contract to the lowest bidder, at the first regular session of the board in January each year. In each county whose population exceeds 600,000, the proceedings shall be published in a daily newspaper. The board may reject any offer if, in its judgment, the public interests so require, and may thereupon designate a newspaper without regard to any rejected offer. In any county whose population exceeds 50,000, and is less than 250,000, the proceedings may be published in one daily and one weekly newspaper at their respective county seats. If the official newspaper of the county shall cease to exist for any reason, except by consolidation with another newspaper, the county board shall have authority to designate another newspaper for the remainder of the year. For the purpose of this section, a newspaper is produced and published in the county if it has in the county its known office of issue, as such term is defined in section 331.02, and if it does its typographic composition or presswork or both in the county.

Subd. 2. Individualized itemized accounts, claims or demands allowed by the county board pursuant to section 471.38, subdivision 1, need not be published pursuant to subdivision 1, provided that the amount allowed from each claim is \$100 or less. The official proceedings following the itemization of accounts required shall contain a statement showing the total number of claims that did not exceed \$100, and the total dollar amount of those claims.

Sec. 4. Minnesota Statutes 1978, Section 375.17, is amended to read:

**375.17 PUBLICATION OF FINANCIAL STATEMENTS.** Annually, not later than the first Tuesday after the first Monday in March, the county board shall make a full and accurate statement of the receipts and expenditures of the preceding year, which shall contain a statement of the assets and liabilities, a summary of receipts, disbursements, and balances of all county funds together with a detailed statement of each fund account ~~together with an itemized account of amounts paid out, to whom, and for what purpose,~~ under the form and style prescribed by and on file with the state auditor, which prescribed form and any changes or modifications thereof shall so far as practical be uniform for all counties and shall be approved by the attorney general and the state printer and within 30 days thereafter shall cause the same to be published for one issue in some newspaper within the county, which newspaper must be a duly qualified legal newspaper, as provided by law. The county board may also refrain from publishing an itemized account of amounts paid out, to whom and for what purpose to the extent that the published proceedings of the county board contain such information, provided that all disbursements aggregating ~~\$1,000~~ \$5,000 or more to any person are set forth in a schedule of major disbursements showing amounts paid out, to whom and for what purpose and are made a part of, and published with, the financial statement. The county board may refrain from publishing the names of persons receiving poor relief or direct relief and the amounts paid to each, but the totals of the disbursements for such purposes must be published. In addition to the publication thereof in the newspaper designated by the board as the official newspaper for publication of the financial statement, the same

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shall be published in one other newspaper of the county, if there be one located in a different municipality in the county than the official newspaper. The county board shall call for separate bids for each publication. At its meeting in July and January each year it shall examine and count all the funds in the treasury, examine the accounts and vouchers of the auditor and treasurer, and make a written certificate of the condition of the treasury, showing the amount, kind, and character of the funds therein, and all other matters in connection therewith and file the same with the auditor. Insofar as any provision of this section is inconsistent with the provisions of section 393.07, the provisions of that section shall prevail.

Approved May 29, 1979.

**CHAPTER 253—S.F.No.1243**

*An act relating to waters; limiting the rule making power of the commissioner of natural resources in regard to flood plain management; authorizing counties within the southern Minnesota river basin area II to levy an additional tax for flood control, improved water quality and erosion and sediment control; amending Minnesota Statutes 1978, Sections 104.05, and 275.50, Subdivision 5.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1978, Section 104.05, is amended to read:

104.05 **RULES.** In the manner provided by Minnesota Statutes 1967, Chapter 15, the commissioner shall promulgate rules ~~and regulations~~ necessary to carry out the purposes of sections 104.01 to 104.07, including but not limited to the following: (a) criteria for determining the flood plain uses which may be permitted without creating an unreasonable public hazard or unduly restricting the capacity of the flood plain to carry and discharge the regional flood; (b) variance procedures; (c) the establishment of criteria for alternative or supplemental flood plain management measures such as flood proofing, subdivision regulations, building codes, sanitary regulations, and flood warning systems. Notwithstanding the provisions of any rules promulgated pursuant to this section establishing a flood protection level higher than the elevation of the regional flood, a local governmental unit may elect to adopt and enforce a flood protection level at the elevation of the regional flood in its flood plain ordinance.

Sec. 2. Minnesota Statutes 1978, Section 275.50, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding any other law to the contrary for taxes levied in ~~1977~~ 1979 payable in ~~1978~~ 1980 and thereafter, "special levies" means those portions of ad valorem taxes levied by governmental subdivisions to:

(a) satisfy judgments rendered against the governmental subdivision by a court of competent jurisdiction in any tort action, or to pay the costs of settlements out of court against the governmental subdivision in a tort action when substantiated by a stipulation

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